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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/828,917	04/21/2004	Kuo Chuan Wu	BA-22882	5641

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BUCKNAM AND ARCHER  
1077 Northern Boulevard  
Roslyn, NY 11576-1696

EXAMINER
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UNELUS, ERNEST

ART UNIT	PAPER NUMBER
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2181

MAIL DATE	DELIVERY MODE
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08/18/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/828,917	<b>Applicant(s)</b> WU ET AL.	
	<b>Examiner</b> ERNEST UNELUS	<b>Art Unit</b> 2181	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 22 May 2009.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 3,4,6-10 and 12-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 3,4,6-10 and 12-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

**RESPONSE TO AMENDMENT**

**Claim rejections based on prior art**

Applicant's arguments filed 08/22/2009 with respect to claims 3, 4, 6-10, and 12-16 have been fully considered and is not persuasive.

The applicant argues that, Jae-Sung and Beckert, the cited references, do not disclose a microprocessor element to control the release/resume operation of the bus switch.

This argument is not persuasive. See the office action bellow, which discloses, [a microprocessor (**microcomputer 22 of fig. 2, as disclose in paragraphs 0034 and 0048**) controlling the operation of said optical data storage drive device in accordance with a key-in or pre-stored instruction and the read/write of the BIOS data of the personal computer (**see para. 0024. See also para. 0051, which discloses an operational panel 42 with buttons for the operation of the disc player**), and controlling the release/resume operation of the bus switch (**the switch is being equated to the control circuit 38, as discloses in para. 0045. The paragraph discloses the detection port 37 to switch between the two power sources**)]. This microcomputer is inside the multimedia device 40, which the examiner equated as the storage drive device. This microcomputer serves as the device main controller, which is also controlling the detection port 37.

**I. INFORMATION CONCERNING OATH/DECLARATION**

**Oath/Declaration**

The applicant's oath/declaration has been reviewed by the examiner and is found to conform to the requirements prescribed in **37 C.F.R. 1.63**.

## **II. STATUS OF CLAIM FOR PRIORITY IN THE APPLICATION**

As required by **M.P.E.P. 201.14(c)**, acknowledgement is made of applicant's claim for priority based on applications filed on December 04, 2003 (Taiwan 092134254).

## **III. INFORMATION CONCERNING DRAWINGS**

### **Drawings**

The applicant's drawings submitted are acceptable for examination purposes.

## **IV. REJECTIONS BASED ON PRIOR ART**

### **Claim Rejections - 35 USC § 103**

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. **Claims 3, 4, 6-10, 12, 13, 15, and 16** are rejected under 35 U.S.C. 103(a) as being unpatentable over Jae-Sung (EP 1117030) in view of Beckert et al. (US pat. 5,794,164).

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3. As per **claim 16**, according to “An optical storage drive device for [*the word ‘for’ is intended use. This limitation is mere statements of purpose or use or functional recitations. In re Sinex, 309 F.2d 488, 492, 135 USPQ 302, 305 (CCPA 1962) (statement of intended use in an apparatus claim did not distinguish over the prior art apparatus).* If a prior art structure is capable of performing the intended use as recited in the claim, then it meets the claim. A recitation of the intended use of the claimed invention must result in a structural difference between the claimed invention and the prior art in order to patentably distinguish the claimed invention from the prior art. If the prior art structure is capable of performing the intended use, then it meets the claim]multimedia audio/video system having a CD driver, a picture viewer, a DVD driver, a digital video recorder (DVR), a FM radio and a MP3 music CD monolithically integrated in a single device, said optical data storage drive device being used as a built-in or external device to a personal computer utilizing a bus switch to release/resume a standard interface between the personal computer and the built-in/external optical data storage drive device, said optical data storage drive device comprising ”, **(this preamble is intended use).**

Jae-Sung discloses an optical data storage drive device **(the multimedia device 40, as discloses in fig. 4a and paragraph 0040, which further discloses the combination of the disc player 2 and the audio signal amplification circuitry 8 as the multimedia device 40)** comprising;

a video/audio input/output selector **(CD-ROM interface, as discloses in para. 0025)** for inputting video/audio signals and for /outputting video/audio signals to the built-in/external optical data storage drive device **(see para. 0025);**

a video/audio encoder/decoder for encoding input video/audio signal before storing and for decoding stored video/audio signal before outputting to said built-in/external optical data storage drive device through said video/audio input/output selector (**see paragraph 0012 and paragraph 0038, which discloses “As stated previously, the disc player 2 may further include a decoder and encoder for decoding and encoding an MPEG file, respectively. By means of this construction, a real-time input audio signal can be compressed and stored in the form of an MPEG file, and MPEG audio data from the CPU can be decoded, amplified and reproduced through the speaker”**);

a microprocessor (microcomputer 22 of fig. 2, as disclose in paragraphs 0034 and 0048) controlling the operation of said optical data storage drive device in accordance with a key-in or pre-stored instruction and the read/write of the BIOS data of the personal computer (see para. 0024. See also para. 0051, which discloses an operational panel 42 with buttons for the operation of the disc player), and controlling the release/resume operation of the bus switch (the switch is being equated to the control circuit 38, as discloses in para. 0045. The paragraph discloses the detection port 37 to switch between the two power source);

an optical storage device (a compact disc, CD, as discloses in para. 0019) for storing the encoded video/audio signal and data coming from said microprocessor through said bus switch (**see para. 0034**);

a status display (display 28, as discloses in para. 0048) for displaying the operation status of said memory card reader, said personal computer and said optical data storage device and controlled by a display controller connected to said microprocessor (**see para. 0048**);

a power amplifier (**power amplifier 18**), connected to said video/audio encoder/decoder for amplifying said input signal and decoded output audio signal (**see paragraph 0028**);

a speaker (**speaker 10**), connected to said power amplifier for outputting said amplified audio signal (**see fig. 2**); and

a power-on detector (**detection port 37 of fig. 3**) connected to a power supply of said personal computer and said microprocessor, the power-on detector detects the power-on status of said personal computer and signals said microprocessor to control said bus switch to release the standard interface between said personal computer and said optical data storage drive device [See paragraph 0045, which discloses, "A detection port 37 is connected to the multimedia device to check voltage (for example, 0 volt) when the multimedia device is not in operation and make a power control terminal 39 active in accordance with the checked result") so as to operate without the power supply of said personal computer when the personal computer is off, whereas when said computer power-on status is detected, said microprocessor controls said bus switch to resume the function of said standard interface so as to operate said optical data storage drive device through the personal computer (**see paragraph 0045, which also discloses "At this time, a control circuit 38 functions to block the supply of power from the adapter 36, thereby causing all components in the computer to be supplied with power from the main power supply 35. The current control means shown in Fig. 3 may preferably include a DC-DC converter for, when the computer is powered on, supplying 12V DC power from the main power supply 35 to the multimedia device and blocking the supply of power from the adapter 36"**).

Jae-Sung fails to specifically disclose “a memory card reader, for reading/writing the encoded video/audio signal and data from said microprocessor”.

Beckert discloses “a memory card reader (**smart card reader 42 in fig. 3**), for reading/writing the encoded video/audio signal and data from said microprocessor” (**see fig. 3**).

Jae-Sung (EP 1117030) and Beckert et al. (US pat. 5,794,164) are analogous art because they are from the same field of endeavor of multimedia computer device.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to modify the multimedia device for a personal computer comprising a disc player connected to a central processing unit of the personal computer and adapted to play back compact disc as described by Jae-Sung and a vehicle computer system has a housing sized to be mounted in a vehicle dashboard or other appropriate location as taught by Beckert.

The motivation for doing so would have been because Beckert teaches a multimedia device with a card reader that permits someone stored data.

Therefore, it would have been obvious to combine Beckert et al. (US pat. 5,794,164) and Jae-Sung (EP 1117030) for the benefit of creating a multimedia computer device for to obtain the invention as specified in claim 1.

4. As per **claim 3**, the combination of Jae-Sung and Beckert disclose “Wherein said optical storage driving device is of stand-alone type [**with respect to this limitation, see Jae-Sung, paragraph 0016**].



5. As per **claim 4**, the combination of Jae-Sung and Beckert disclose “wherein said optical storage driving device is of portable type” **[with respect to this limitation, see Jae-Sung, paragraph 0010]**.

6. As per **claim 6**, the combination of Jae-Sung and Beckert disclose “wherein said built-in/external device can be a video/audio signal providing device and a video/audio signal player including television, projector, plasma display panel, liquid crystal display and monitor of a personal computer” **[with respect to this limitation, see Jae-Sung, paragraph 0010]**.

7. As per **claim 7**, the combination of Jae-Sung and Beckert disclose “wherein said optical storage device including {one of } CD-ROM, CD-R, CD-RW, DVD-ROM, DVD-R, DVD-RW, DVD+R, DVD+RW and DVD-RAM servers” **[with respect to this limitation, see Jae-Sung, paragraph 0019]**.

8. As per **claim 8**, the combination of Jae-Sung and Beckert disclose “wherein said status display includes one of vacuum fluorescent display (VFD) and liquid crystal display (LCD)” **[with respect to this limitation, see Jae-Sung, fig. 2]**.

9. As per **claim 9**, the combination of Jae-Sung and Beckert disclose “wherein said display is used to display the mode selection, adjustment controlling, and status indicator of said functions” **[with respect to this limitation, see Jae-Sung, paragraph 0048, which discloses “The operating panel 42 and display (preferably, VFD) 28 are installed in the front part of**

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**the multimedia device, thereby allowing the user to conveniently control the device and view the operating state of the device”].**

10. As per **claim 10**, the combination of Jae-Sung and Beckert disclose “wherein said personal computer includes one of a desktop computer, notebook computer, tablet computer and Macintosh computer” **[with respect to this limitation, see Jae-Sung, fig. 5].**

11. As per **claim 12**, the combination of Jae-Sung and Beckert disclose “wherein said standard interface can be one of the ATAPI-IDE, the serial ATA or SCSI, the USB 1.1/2.0 built-in or externally connected to a personal computer and a IEEE 1394 standard interface” **[with respect to this limitation, see Jae-Sung, fig. 5].**

12. As per **claim 13**, the combination of Jae-Sung and Beckert disclose “wherein said power-on detector is used to detect the voltage on the power supply unit of a personal computer or to detect the computer host reset signal (HRST) on the connecting bus between said personal computer and said panel controller so as to confirm the on status of the power supply” **[with respect to this limitation, see Jae-Sung, paragraph 0045].**

13. As per **claim 15**, the combination of Jae-Sung and Beckert disclose “wherein said optical storage driving device is powered by DC or AC power supply” **[with respect to this limitation, see Jae-Sung, paragraph 0045].**

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14. **Claims 14** is rejected under 35 U.S.C. 103(a) as being unpatentable over Jae-Sung (EP 1117030) and Beckert et al. (US pat. 5,794,164) as applied to claim 16 above, and further in view of Kovacevic (US 2002/0126703).

15. As per **claim 14**, Jae-Sung and Beckert disclose “The optical storage driving device as set forth in claim 1,” [See rejection to claim 1 above], including a connecting device equipped with a power connector, a CD analogue audio output connector (see, Beckert, fig. 4), while said connecting device has a dominating bus and an input/output bus so as to increase the expandability of said optical storage driving device (see, Beckert, fig. 4, which discloses the vehicle battery having 10-16volts compare to the power supply being only 12, that’s the reason why the vehicle battery bus will dominate over an input/output bus so as to increase the expandability of said optical storage driving device. See col. 6, lines 3-18), but fail to specifically disclose a Sony-Phillips digital interface (SPDIF) output connector.

Kovacevic discloses a Sony-Phillips digital interface (SPDIF) output connector (see paragraph 0018).

Jae-Sung (EP 1117030), Beckert et al. (US pat. 5,794,164), and Kovacevic (US 2002/0126703) are analogous art because they are from the same field of endeavor of multimedia computer device.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to modify the multimedia device for a personal computer comprising a disc player

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connected to a central processing unit of the personal computer as described by Jae-Sung and Beckert and a method of synchronizing the output of processed audio data to the output of processed video data as taught by Kovacevic.

The motivation for doing so would have been because Kovacevic teaches a Sony-Phillips digital interface (SPDIF) output connector help with conversion **(see paragraph 0018)**

Therefore, it would have been obvious to combine Kovacevic (US 2002/0126703) and Beckert et al. (US pat. 5,794,164) with Jae-Sung (EP 1117030) for the benefit of creating a multimedia computer device for to obtain the invention as specified in claim 14.

## **V. RELEVANT ART CITED BY THE EXAMINER**

16. The following prior art made of record and not relied upon is cited to establish the level of skill in the applicant's art and those arts considered reasonably pertinent to applicant's disclosure. See **MPEP 707.05(c)**.

17. The following reference teaches a multi-functional optical disk driving device.

### **U.S. PATENT NUMBER**

US 2004/0194154

## **VI. CLOSING COMMENTS**

### **Conclusion**

#### **a. STATUS OF CLAIMS IN THE APPLICATION**

18. The following is a summary of the treatment and status of all claims in the application as recommended by **M.P.E.P. 707.07(i)**:

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**a(1) CLAIMS REJECTED IN THE APPLICATION**

19. Per the instant office action, claims 3, 4, 6-10, and 12-16 have received a final action on the merits.

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

**b. DIRECTION OF FUTURE CORRESPONDENCES**

20. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ernest Unelus whose telephone number is (571) 272-8596. The examiner can normally be reached on Monday to Friday 9:00 AM to 5:00 PM.

**IMPORTANT NOTE**

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21. If attempts to reach the above noted Examiner by telephone is unsuccessful, the Examiner's supervisor, Mr. Alford Kindred , can be reached at the following telephone number: Area Code (571) 272-4037.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Alford W. Kindred/  
Supervisory Patent Examiner, Art Unit 2181  
August 5, 2009

Ernest Unelus  
Examiner  
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Examiner, Art Unit 2181

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